

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

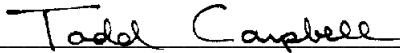
EDRYCK DANTE MOONEY	)	
	)	
v.	)	No. 3:11-00164
	)	JUDGE CAMPBELL
UNITED STATES OF AMERICA	)	

ORDER

Pending before the Court is the Government's Motion For Order Authorizing Former Counsel To Discuss Client Communications (Docket No. 16). Through the Motion, the Government requests that the Court enter an order holding that the attorney-client privilege has been waived in this case because the Petitioner has alleged in his Section 2255 Motion that trial counsel provided ineffective assistance.

The Motion is GRANTED. The Court holds that the Petitioner has waived the attorney-client privilege as to the matters raised in his claim of ineffective assistance of counsel. See, e.g., In re Lott, 424 F.3d 446, 453 (6<sup>th</sup> Cir. 2005)(Explaining that a habeas petitioner implicitly waives the attorney-client privilege by putting his attorney's performance at issue, and waiver extends to those matters relevant to petitioners's ineffective assistance of counsel claims).

It is so ORDERED.

  
TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE